

## PATENT

In re Application of

Randy HABERMAN, et al.

Serial No.: 09/002,187

Group Art Unit: 2152

Filed: December 31, 1997

Examiner: T. Vu

For: SYSTEM AND METHOD FOR ESTABLISHING A VIRTUAL CIRCUIT IN AN ATM NETWORK

**PETITION TO WITHDRAW**  
**HOLDING OF ABANDONMENT UNDER 37 CFR 1.181(a)**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Applicant hereby respectfully petitions for withdrawal of the holding of abandonment in the above-mentioned application.

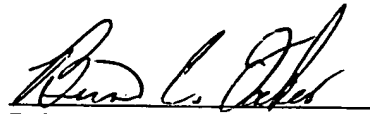
In response to the Notice of Allowance issued December 18, 2000, an Issue Fee payment was timely filed with a certificate of mailing on Monday, March 19, 2001. The postcard evidence provided herewith shows that the issue fee was, in fact, paid by Applicant and received by the U.S. Patent and Trademark Office. See attachment I.

Even though Applicants have properly paid the Issue Fee (See attachment II), a Notice of Abandonment has been received (dated April 26, 2001). Applicant respectfully submits that, in view of the postcard evidence provided herewith, the issue fee was, in fact, filed by Applicant and received by the U.S. Patent and Trademark Office. Applicant therefore submits that the proper payment of the Issue Fee should allow the application to issue as a patent. It is respectfully requested that the abandonment of the application be withdrawn and that the application be forwarded to issue branch in preparation for issuance.

**CONCLUSION**

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 13-2491 and please credit any excess fees to such deposit account.

Respectfully submitted,  
*WorldCom, Inc.*



Brian C. Oakes  
Registration No. 41,467

Technology Law Department  
1133 19<sup>th</sup> Street, NW  
Washington, DC 20036  
(202) 736-6371  
**Date: May 10, 2001**  
Facsimile: (202) 736-6382

**Serial No.: 09/002,187**

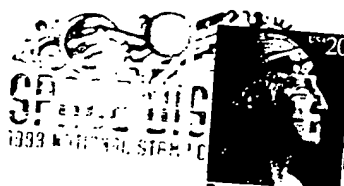
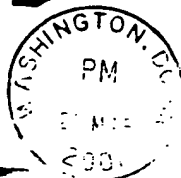
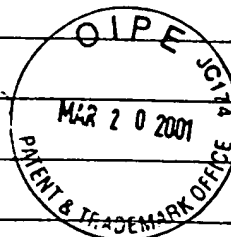
**ATTACHMENT I**  
**(Stamped Postcard indicating reception of Issue Fee Payment at USPTO)**

# INSTRUCTIONS TO DOCKET CLERK

THE FOLLOWING PAPERS HAVE BEEN FILED:

DESCRIPTION OF PAPER	Issue Fee Payment Transmittal; Submission of Formal Drawings Letter; (5) Sheets of (5) Figures of Formal Drawings; Transmittal Form; Certificate of Mailing; Return Postcard
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APPLICANT	Randy Haberman et al		
SERIAL NO.	09/002,187		
ATTORNEY DOCKET NO.	RIC 96 161		
TITLE	System and Method for Establishing a Virtual		
SENDERS INITIALS	ANT	DATE MAILED	3/19/2001



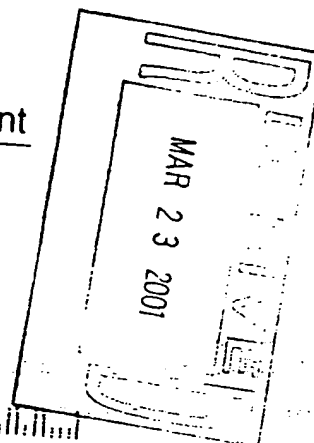
**WORLDCOM, INC.**

Attn: Technology Law Department

Dept.: 9854/003

1133 19th Street, N. W.

Washington, D.C. 20036



20036/3804

**Serial No.: 09/002,187**

**ATTACHMENT II**

**(Copy of Issue Fee Payment and Formal Drawings filed on March 19, 2001)**

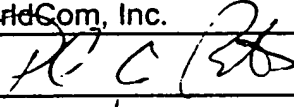
Please type a plus sign (+) inside this box → ☐


PTO/SB/21 (6-98)  
Approved for use through 09/30/2000. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>	Application Number	09/002,187	
	Filing Date	December 31, 1997	
	First Named Inventor	Randy Haberman et al	
	Group Art Unit	2152	
	Examiner Name	Thong Vu	
Total Number of Pages in This Submission	10	Attorney Docket Number	RIC 96 161

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">         Issue Fee Transmittal          Submission of Formal          Drawing Letter          Return Postcard       </div>
<div style="border: 1px solid black; height: 40px; width: 100%;"></div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Paul A. Roberts Reg. No. 40,289 WorldCom, Inc.
Signature	
Date	3/19/01

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: March 19, 2001			
Typed or printed name	Angela N. Trafton		
Signature		Date	3/19/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

*[Handwritten signature]*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Art Unit: 2152

**HABERMAN et al**

Serial No. 09/002,187

Examiner: T. Vu

Filed: 12/31/1997

Attorney Docket: RIC96 161

For: System and Method for Establishing a Virtual Circuit in a ATM Network

**Submission of Formal Drawings**

BOX ISSUE FEE

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Transmitted herewith are 5 sheet(s) of 5 figure(s) of formal drawings to be substituted for the corresponding drawing sheets presently on file in the above-identified application.

The Commissioner is hereby authorized to charge payment of extension or petition fees under 37 CFR 1.17 for any additional filing fees required under 37 CFR 1.16, and any patent processing fees under 37 CFR 1.16, and any fees associated with the recordation of the Assignment during the pendency of this application or credit any overpayment to our Deposit Account 13-2491.

Respectfully submitted,



Paul A. Roberts  
Reg. No. 40,289

March 19, 2001

WorldCom, Inc.  
Technology Law Department  
1133 19<sup>th</sup> Street, NW  
Washington, DC 20036  
Tel: (202) 736-6604  
Fax: (202) 736-6382



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Art Unit: 2152

**HABERMAN et al**

Serial No. 09/002,187

Examiner: T. Vu

Filed: 12/31/1997

Attorney Docket: RIC96 161

For: System and Method for Establishing a Virtual Circuit in a ATM Network

**Submission of Formal Drawings**

**BOX ISSUE FEE**

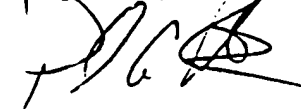
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Transmitted herewith are 5 sheet(s) of 5 figure(s) of formal drawings to be substituted for the corresponding drawing sheets presently on file in the above-identified application.

The Commissioner is hereby authorized to charge payment of extension or petition fees under 37 CFR 1.17 for any additional filing fees required under 37 CFR 1.16, and any patent processing fees under 37 CFR 1.16, and any fees associated with the recordation of the Assignment during the pendency of this application or credit any overpayment to our Deposit Account 13-2491.

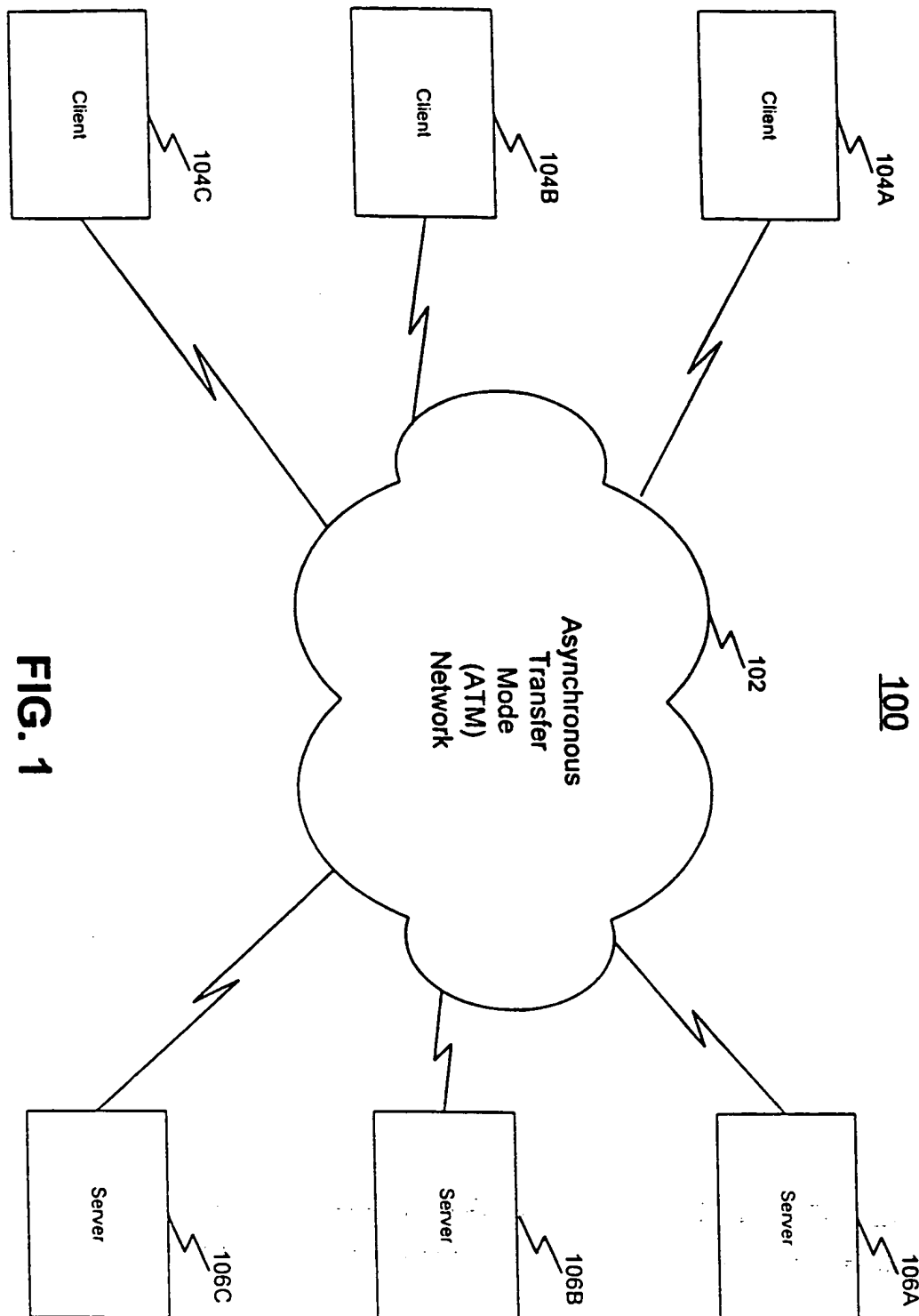
Respectfully submitted,



Paul A. Roberts  
Reg. No. 40,289

March 19, 2001

WorldCom, Inc.  
Technology Law Department  
1133 19<sup>th</sup> Street, NW  
Washington, DC 20036  
Tel: (202) 736-6604  
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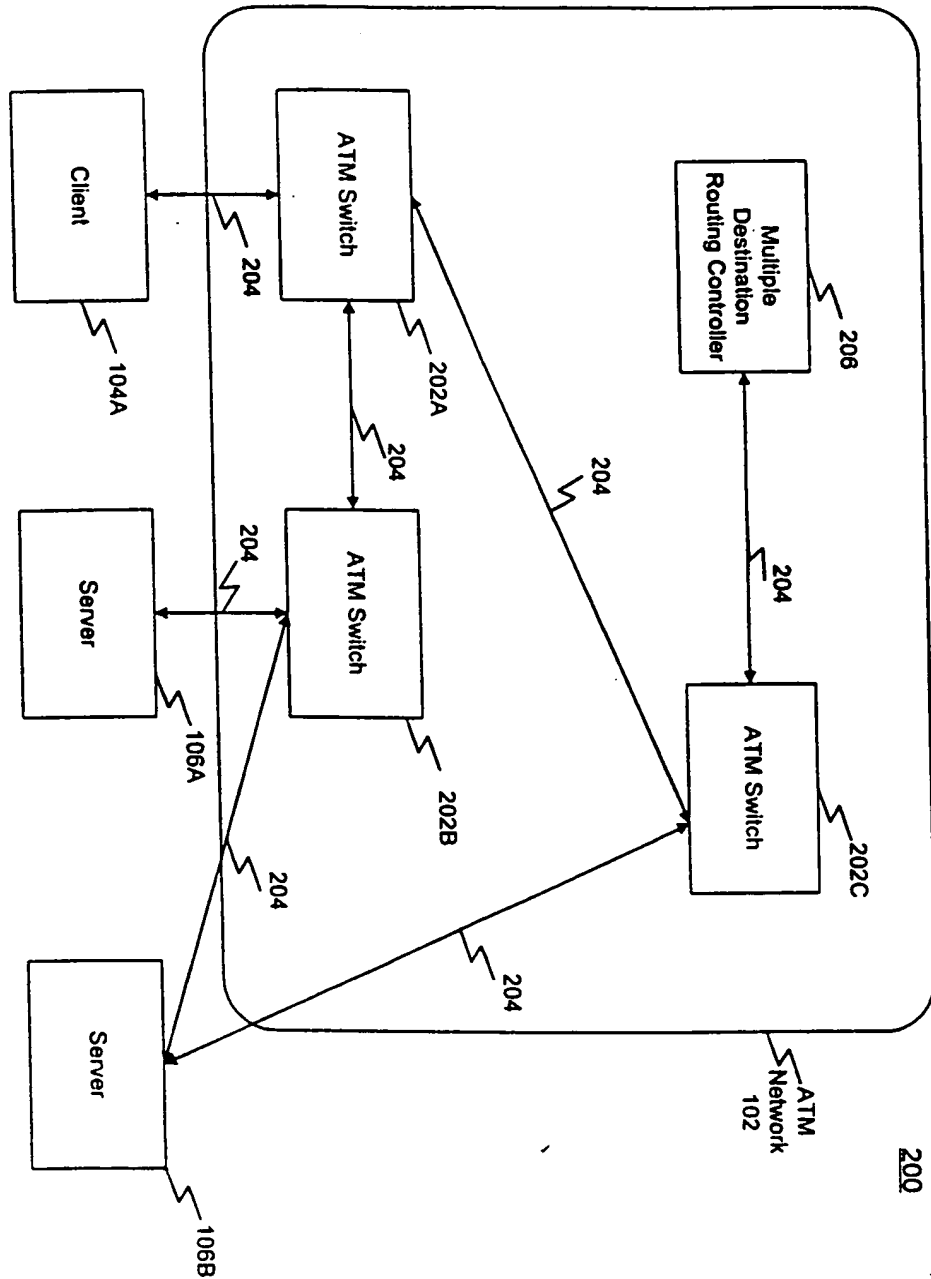


FIG. 2

FIG. 2

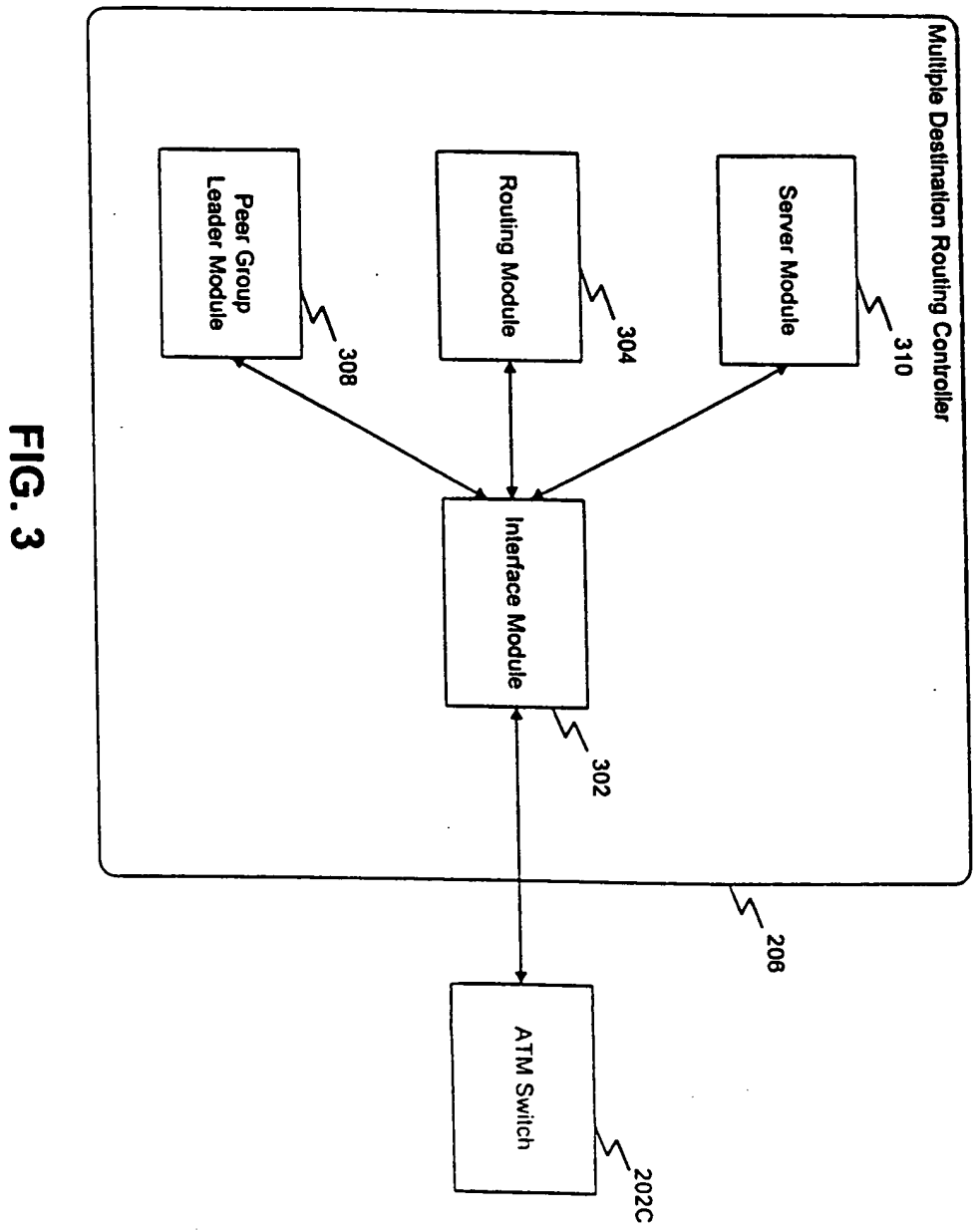
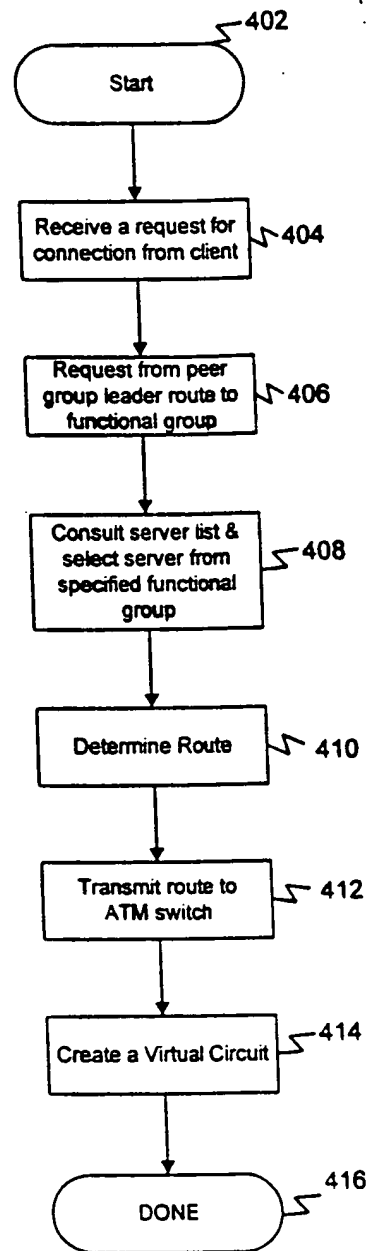


FIG. 3

400**FIG. 4**

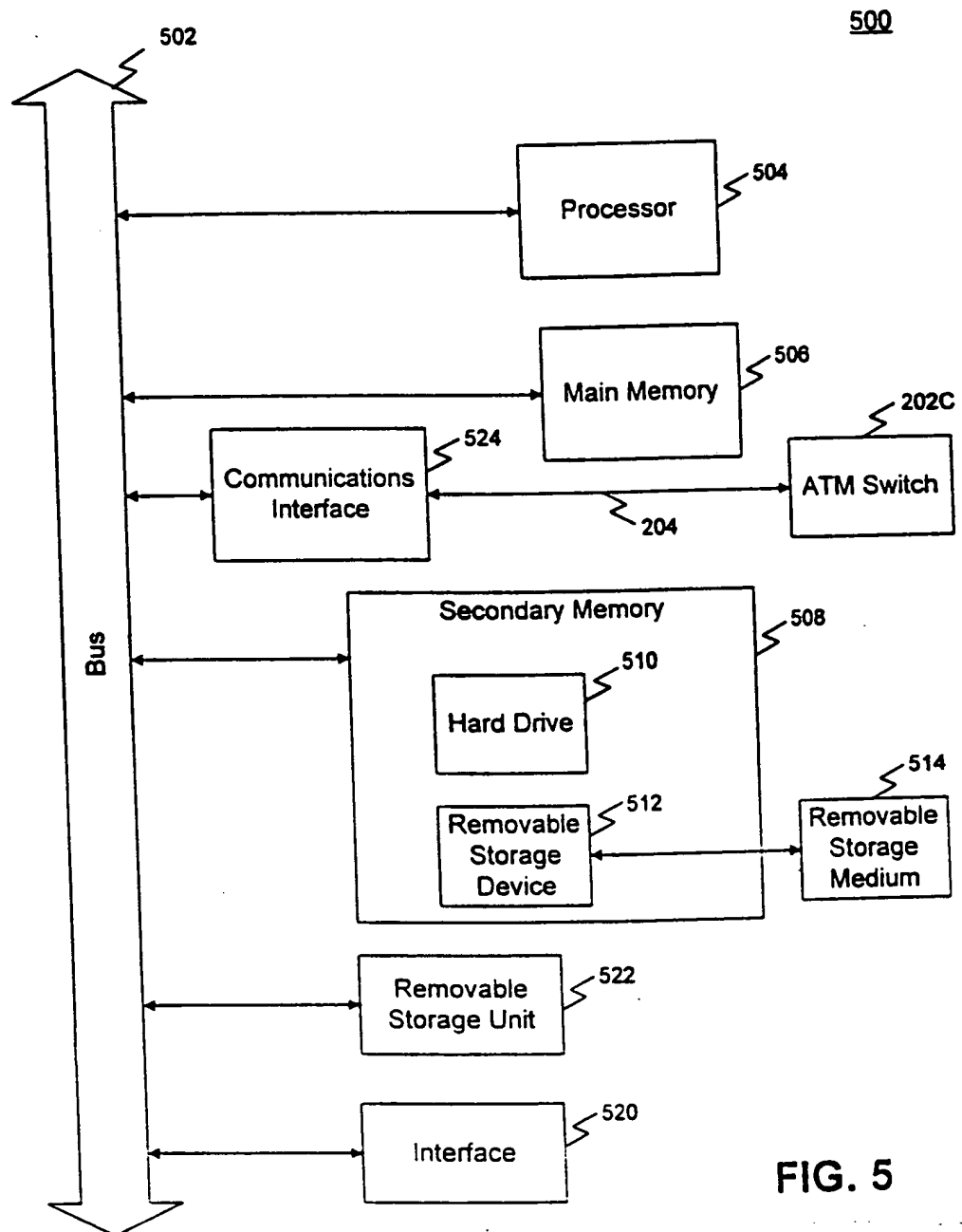


FIG. 5

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Haberman et al.

Serial No.: 09/002,187

Art Unit: 2152

Filed: December 21, 1997

Examiner: T. Vu

Title: System and Method for Establishing a Virtual Circuit in an ATM Network

**STATUS INQUIRY**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450


Sir:

Please advise us in writing as to the status of the above-noted application. Applicants filed a Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181(a) on May 10, 2001, and have not yet received a decision on the Petition. Applicants received a telephone call from Jim Alexander (P/OPPD; (703)305-8387) indicating that the official USPTO file was lost. Applicants believe that this may be hindering the decision on the Petition, so Applicants have included a copy of Applicants' file history.

Should anything further be required, Applicants request that the undersigned be contacted at the telephone number indicated below.

Respectfully submitted,

Date: September 25, 2003

  
Eden U.I. Stright  
Registration No. 51,205

WorldCom, Inc.  
1133 19<sup>th</sup> Street, NW  
Washington, DC 20036  
Phone: 202 736-6008  
Fax: 202-736-6382

## Auto-Reply Facsimile Transmission



TO: Fax Sender at 2027366382

Fax Information

Date Received: 3/25/2004 8:50:13 AM [Eastern Standard Time]

Total Pages: 1 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page

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FROM WorldCom Technology Law Washington DC [THU] 3/25/04 8:48/ST 8:48/NO 4261175834 1

Docket No.: RIC9616;

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Haberman et al.

Serial No.: 09/002,187

Art Unit: 2152

Filed: December 21, 1997

Examiner: T. Vu

Title: System and Method for Establishing a Virtual Circuit in an ATM Network

#### SECOND STATUS INQUIRY

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

TRANSMISSION CERTIFICATE UNDER 37 C.F.R. 1.6(a)  
I hereby certify that the correspondence cited herein is being sent via facsimile  
to the USPTO Centralized Facsimile Mailbox (703) 472-9206 on  
*Changyue J. Kim*  
Changyue J. Kim

Sir:

This is Applicants second request for the status of the Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181(a). Please advise us in writing as to the status of the above-noted application.

Applicants filed a Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181(a) on May 10, 2001, and have not yet received a decision on the Petition. Applicants received a telephone call from Jim Alexander (P/OPPD; (703)305-8367) indicating that the official USPTO file was lost. Applicants believe that this may be hindering the decision on the Petition, so Applicants filed a copy of Applicants' file history on September 26, 2003. However, Applicants still have not yet received any type of action in this case.

Should anything further be required, Applicants request that the undersigned be contacted at the telephone number indicated below

Respectfully submitted,

Date: March 24, 2004

*Eden U.A. Stright*  
Eden U.A. Stright  
Registration No. 51,205

WorldCom, Inc.  
1133 19<sup>th</sup> Street, NW  
Washington, DC 20036  
Phone: 202 736-6008  
Fax: 202-736-6382